

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 9900

IN THE MATTER OF:

Served September 11, 2006

Application of ATLANTIC SERVICES)	Case No. AP-2006-113
GROUP, INC., Trading as ATLANTIC)	
SERVICES GROUP, for a Certificate)	
of Authority -- Irregular Route)	
Operations)	

Applicant seeks a certificate of authority to transport passengers in irregular route operations between points in the Metropolitan District. The application is unopposed.

Applicant proposes commencing operations with eight minibuses. Applicant proposes operating under a tariff containing rates for transportation under contracts with private entities.

The Compact, Title II, Article XI, Section 7(a), authorizes the Commission to issue a certificate of authority if it finds that the proposed transportation is consistent with the public interest and that the applicant is fit, willing, and able to perform the proposed transportation properly, conform to the provisions of the Compact, and conform to the rules, regulations, and requirements of the Commission.

An applicant for a certificate of authority must establish financial fitness, operational fitness, and regulatory compliance fitness.¹ To establish regulatory compliance fitness, an applicant must become familiar with and evidence a willingness to comply with the Compact and Commission regulations.²

Applicant verifies that: (1) applicant owns or leases, or has the means to acquire through ownership or lease, one or more motor vehicles meeting the Commission's safety requirements and suitable for the transportation proposed in this application; (2) applicant owns, or has the means to acquire, a motor vehicle liability insurance policy that provides the minimum amount of coverage required by Commission regulations; and (3) applicant has access to, is familiar with and will comply with the Compact, the Commission's rules, regulations and orders, and Federal Motor Carrier Safety Regulations as they pertain to transportation of passengers for hire.

¹ *In re Business Logistics Group, L.L.C., t/a as ATS, L.L.C., No. AP-06-002, Order No. 9652 (June 15, 2006).*

² *In re Jet Tours USA, Inc., No. AP-02-94, Order No. 6878 (Oct. 30, 2002).*

Applicant was the subject of an enforcement order in 2001.³ On January 22, 2001, the Commission received a 2000 annual report for Carrier No. 271 in the name of Atlantic Services Group, Inc. At that time, Certificate No. 271 was held by Atlantic Valet, Inc., a separate corporation. Commission Order No. 6254, served June 15, 2001, stated that Atlantic Services Group, Inc., needed Commission approval to operate under Certificate No. 271. Order No. 6254 also ordered Atlantic Services Group, Inc., not to transport passengers for hire between points in the Metropolitan District, unless and until otherwise ordered by the Commission.

Enclosed with the application is a statement that Atlantic Services Group, Inc., "has not transported passengers for hire between points in the Metropolitan District of Columbia under Certificate of Authority No. 271," since it received Order No. 6254.

Inasmuch as applicant has verified compliance with Order No. 6254 in accordance with Rule No. 28, and considering an absence of evidence to the contrary and applicant's promise of future compliance, we find applicant has made a prima facie case of compliance fitness.⁴

Based on the evidence in this record, the Commission finds that the proposed transportation is consistent with the public interest and that applicant is fit, willing, and able to perform the proposed transportation properly, conform to the provisions of the Compact, and conform to the rules, regulations, and requirements of the Commission.

THEREFORE, IT IS ORDERED:

1. That upon applicant's timely compliance with the requirements of this order, Certificate of Authority No. 1283 shall be issued to Atlantic Services Group, Inc., trading as Atlantic Services Group, 2131 K Street, N.W., #200, Washington, DC 20037.

2. That applicant may not transport passengers for hire between points in the Metropolitan District pursuant to this order unless and until a certificate of authority has been issued in accordance with the preceding paragraph.

3. That applicant is hereby directed to present its revenue vehicle(s) for inspection and file the following documents within the 180-day maximum permitted in Commission Regulation No. 66: (a) evidence of insurance pursuant to Commission Regulation No. 58 and Order No. 4203; (b) an original and four copies of a tariff or tariffs in accordance with Commission Regulation No. 55; (c) a vehicle list stating the year, make, model, serial number, fleet number, license


³ In re Atlantic Valet, Inc., t/a Atlantic Transp., & Atlantic Servs. Group, Inc., No. MP-01-34, Order No. 6254 (June 15, 2001).

⁴ See In re Jet Tours USA, Inc., No. AP-02-133, Order No. 7078 (Mar. 6, 2003) (fitness established where applicant filed compliance affidavit and no evidence to contrary).

plate number (with jurisdiction) and seating capacity of each vehicle to be used in revenue operations; (d) a copy of the for-hire vehicle registration card, and a lease as required by Commission Regulation No. 62 if applicant is not the registered owner, for each vehicle to be used in revenue operations; and (e) proof of current safety inspection of said vehicle(s) by or on behalf of the United States Department of Transportation, the State of Maryland, the District of Columbia, or the Commonwealth of Virginia.

4. That the grant of authority herein shall be void and the application shall stand denied upon applicant's failure to timely satisfy the conditions of issuance prescribed herein.

FOR THE COMMISSION

A handwritten signature in dark ink, appearing to read 'William S. Morrow, Jr.', with a stylized, cursive flourish at the end.

William S. Morrow, Jr.
Executive Director